

## **Commissioners' Workshop Meeting Tuesday, August 14, 2012**

### **I. CALL TO ORDER:**

The Berks County Board of Commissioners met in regular session on Tuesday, August 14, 2012 at 10:30 A.M. in the 13th floor Boardroom of the Berks County Services Center, pursuant to due notice to Board members and the public.

Commissioner Chair Christian Y. Leinbach called the meeting to order with Commissioner Kevin S. Barnhardt and Commissioner Mark C. Scott in attendance. Also present were County Solicitor Alan S. Miller, Carl E. Geffken, Chief Operating Officer and Maryjo Gibson, Chief Clerk.

Commissioner Leinbach opened the meeting with a moment of silence and the Pledge of Allegiance to the Flag, and announced that the Board met in executive session Monday afternoon to discuss personnel matters and labor negotiations.

### **II. DEPARTMENTAL REPORTS / REQUESTS:**

#### **Budget Department**

- A. Adopt a resolution authorizing 2012 Budget Transfers in the amount of \$470,511.00 and 2012 Appropriations in the amount of \$12,766.00 per listing dated August 10, 2012. Commissioner Leinbach reviewed the budget transfers and appropriations.

#### **Human Resources**

- A. Adopt a resolution authorizing Human Resource Recommendations per list dated August 14, 2012. Commissioner Leinbach reported on the 3 items listed on the agenda.

#### **Purchasing**

- A. Motion authorizing Christian Y. Leinbach as Chairman of the Board, to execute Contract Agreements/Amendments as furnished by the Contract Coordinator, per listing dated August 13, 2012. Commissioner Leinbach commented on the 18 contracts listed.

#### **Human Services**

- A. Adopt a resolution authorizing the Board of Commissioners to execute the Fiscal Year 2011-2012 Human Services Development Fund Certification Statement submitted to the Pennsylvania Department of Public Welfare.

#### **Mental Health/Developmental Disabilities**

- 261.12 A.** Adopt a resolution authorizing the Board of Commissioners to execute a letter of support in favor of an application to become part

of the Department of Public Welfare's Human Services Block Grant Pilot Program. Commissioner Barnhardt motioned to approve this item today, which was seconded by Commissioner Scott, and all voted unanimously to approve Resolution No. 261.12.

Commissioner Leinbach commented that the County of Berks is part of 25 counties that are applying for 20 slots with the State for the proposed block grant program and feels we have a very good chance of being accepted into one of those slots.

### Juvenile Probation Department

- A. Adopt a resolution authorizing execution of the "Working with Victims of Juvenile Offenders" (VOJO) Grant application to the Pennsylvania Commission on Crime and Delinquency and provides funds to continue to work with victims of juvenile offenders and keep them informed of services available to them with the Juvenile Justice System. Said Grant is retroactive to July 1, 2012 and ends December 31, 2012 and is in the amount of \$43,290.00 and is State funded. Robert Williams, Chief Berks County Juvenile Probation Officer, commented the first 2 items deal with victim witness unit. Mr. Williams reported that the VOJO grant is being phased out and this grant will take us through the last six months of 2012.
- B. Adopt a resolution authorizing execution of the "Juvenile Probation Office Victim/Witness Unit" Grant application to the Pennsylvania Commission on Crime and Delinquency and provides funds for assistance and advocacy to victims of Juvenile offenders, and includes but is not limited to court accompaniment, restitution, escape notification, prior comment, assistance with victim claim forms and impact statements and assistance with applying for Victim's Compensation Assistance. Said Grant runs from January 2, 2013 until December 31, 2014 and is in the amount of \$27,020.00 for the two (2) year grant term. Mr. Williams commented that the funding for VOJO will now come from RASA grant, and the District Attorney has agreed to contribute their RASA funding for this program.
- C. Adopt a resolution authorizing execution of a five (5) year Grant Agreement with the Pennsylvania Juvenile Court Judges' Commission (JCJC) commencing July 1, 2012 and ending June 30, 2017, which provides funding to offset some of the juvenile probation officer salaries. A funding amount allocation has not yet been determined by the State. Mr. Williams commented this amount should be the same as other years, and is usually around \$400,000.

### Emergency Services

- A. Adopt a resolution authorizing the acquisition by eminent domain of a certain portion of Berks County tax parcel No. 21540600469197 (Pulpit Rock Site) located in Albany Township, and owned by the Borough of Hamburg for use as a tower site in regard to the Berks County Emergency Response Project and ratifies, confirms and approves all actions heretofore taken by Fox Rothschild LLP in preparation of said condemnation; and

further authorizes Fox Rothschild LLP, in consultation with the County Solicitor, to condemn said parcel and pursue any and all actions in furtherance of this Resolution and necessary to effectuate the condemnation.

**Solid Waste Authority**

- A. Adopt a resolution authorizing execution of the Application for Municipal Recycling Program Performance Grant for calendar year 2011 to be submitted to the Pennsylvania Department of Environmental Protection on behalf of the Berks County Solid Waste Authority. The total tons of eligible materials recycled are 2,798.41.

**Solicitor**

- A. Adopt a resolution authorizing the County Solicitor to advertise an Ordinance of the County of Berks authorizing Berks County to enter into Intergovernmental Cooperation Agreements with County municipalities to participate in the Berks County MS4 Steering Committee for purposes of meeting the educational requirements of the 2013-2018 MS4 NPDES Permit and other services to assist in assessing the legal and regulatory requirements and implications to properly submit applications for permits and annual reports under the new MS4 regulations. Commissioner Barnhardt commented Birdsboro has already committed to the agreement. Ashley Mazurek, Planner II, Berks County Planning Commission, reported that 34 municipalities have expressed intent to cooperate. Commissioner Leinbach commented that the County also partnered with Berks County Conservancy, who is acting as the bank for the program. Commissioner Leinbach further commented this is a strong cooperative effort and is saving municipalities significant dollars by participating in the pool.

**III. REPORTS OF COMMISSIONERS**

**Commissioner Barnhardt**

**Commissioner Scott**

Commissioner Scott questioned Solicitor Miller on item 18 on the Contract Agenda regarding the consent assessment and agreement to pay civil penalty with respect to the operation of the sewage facility at the North Campus. Commissioner Scott commented the amount appears to be unchanged from previous discussions and it is his understanding and opinion that the operator has the obligation to pay the penalty which was a result of an intentional or negligent act. Commissioner Scott further commented the operator should reimburse the County for that portion of the penalty that is their responsibility. Solicitor Miller responded that in regard to the amount of penalty, he did attempt to negotiate with DEP, but was not successful in having the amount reduced because the DEP had already compromised the amount in terms of settlement for not going to litigation. Solicitor Miller further commented that the operator will be held responsible for that portion of the penalty that resulted from their negligence.

*Commissioner Leinbach*

There being no further business the meeting adjourned at 11:46 A.M.

Respectfully Submitted,

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Maryjo Gibson, Chief Clerk